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असाधारण

EXTRAORDINARY

भाग II—खण्ड 1

PART II—Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 3] नई दिल्ली संकलन, 10 जनवरी, 1989/ पौष 20, 1910 (सक)
No. 3] NEW DELHI, TUESDAY, JANUARY 10, 1989/PAUSA 20, 1910 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 10th January, 1989/Pausa 20, 1910 (Saka)

The following President's Act is published for general information:—

THE PUNJAB PANCHAYAT SAMITIS AND ZILA PARISHADS
(TEMPORARY SUPERSESSION) AMENDMENT ACT, 1989

No. 1 of 1989

Enacted by the President in the Thirty-ninth Year of the
Republic of India.

An Act further to amend the Punjab Panchayat Samitis and Zila Parishads
(Temporary Supersession) Act, 1978.

24 of 1987. In exercise of the powers conferred by section 3 of the Punjab State
Legislature (Delegation of Powers) Act, 1987, the President is pleased to
enact as follows:—

1. This Act may be called the Punjab Panchayat Samitis and Zila
Parishads (Temporary Supersession) Amendment Act, 1989.

Short
title.

2. In the Punjab Panchayat Samitis and Zila Parishads (Temporary
Supersession) Act, 1978, in section 3, in the proviso to sub-section (1),
for the words "ten years and three months", the words "ten years and
nine months" shall be substituted.

Amend-
ment of
section 3
of Punjab
Act 29
of 1978.

R. VENKATARAMAN,
President.

C. RAMAN MENON,
Additional Secy. to the Govt. of India.

Reasons for the enactment

The Panchayat Samitis and Zila Parishads in the State were superseded by the Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Act, 1978 on the 12th October, 1978 for a period of one year. This period had to be extended from time to time for one reason or the other. This period of supersession was last extended by three months by the Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Amendment Act, 1988 (President's Act 8 of 1988), due to the disturbed law and order situation in the State and the said period is to expire on the 11th day of January, 1989.

2. In view of the various statutory provisions relating to the conduct of elections to the Panchayat Samitis and Zila Parishads as also considering law and order situation in the State, it is not feasible to hold elections to Panchayat Samitis and Zila Parishads well within the extended period of three months. A minimum period of more than five months is required to complete the election process of Panchayat Samitis and Zila Parishads after elections to Gram Panchayats.

3. It has, therefore, been decided that the period of supersession may be extended by six months by amending the Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Act, 1978 by a President's enactment.

4. Parliament has, under article 357(1)(a) of the Constitution, conferred on the President the power of the Legislature of the State of Punjab to make laws *vide* the Punjab State Legislature (Delegation of Powers) Act, 1987 (24 of 1987).

5. Under the proviso to sub-section (2) of section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1987, the President shall, before enacting any President's Act, consult a Committee constituted for the purpose, consisting of members of both the Houses of Parliament. As the permissible period of supersession of the Panchayat Samitis and Zila Parishads under the Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Act expires on the 11th January, 1989, and as the amending Act ought to come into force on the 12th January, 1989, it is not practicable to consult the aforesaid Committee prior to enactment of this Bill. The measure is, accordingly, being enacted without reference to the aforesaid Committee.

V. C. PANDE,
Secy. to the Govt. of India,
Ministry of Agriculture
(Department of Rural Development).